G. R. S. App. F. IX-4]

1942-3

War File No. 149-42

Previous References. (War)

Serial Nos. 1716 27.

Later References.

Home Dept. No. 33/52/53

P 2 Ed

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Eleven only.

Part B for March 1943.

SUBJECT.

Amendments to Defence of India Rules.

M. Krishnan
18.3.43.

2200/W

Amt 5 Defence of India Rules

Continuation Sheet. File No. Current No. of Page.

P. A.

Minister for Law
JAN 19 1943
No. 6316

Kind reference is invited to notification No 1620/DR/42-3 dt 7/8/42 of the Govt of India, Defence Dept. amending Rule 76 B (2) of the Defence of India Rules.

By the amt. "building" is defined to cover temporary structures, erections and excavations and powers to require or impose conditions on granting permits for erection etc. of buildings.

Draft notification drawn up accordingly submitted for perusal here.

Sd/- [illegible]
18/1

Sd/- [illegible]

CHIEF SECRETARIAT
4126
18 JAN 1943
GOVT OF MYSORE

SECY. LAW DEPT.
GOVT OF MYSORE

for Law Secy
19/1/43

Law Secy
19-1-43

19/1

20/1

5576

Sh. 19. Kindly Notification 3192, dt 20th Jan 43 in the Compiler

2231/W. Amdts to Defence of India Rules.

Continuation Sheet. W File No. / Current No. 49 of 42-3. Page.

5.18 Secy to Govt of India Home Dept (Defence Branch) No. F.169-42(2)/W dt 20/1/43 addressed to Govt of India (Defence Dept) notifies 1620 & 1663 (of 26-12-42) amending Rules 76B & 50B of Defence of India Rules.

The amendment to Rule 76B has already been adopted here & issued.

Rules 50B relates to authorising the carrying out of field firing and artillery practice and declaring the areas as danger zone. At present the Collectors (D.C in Mysore) have no such declaration prohibiting the entry into and secure the removal from such zone all persons & animals during the firing. It is proposed by the amendment to provide for action & being taken by any officer authorised by the Collector.

It is for orders if the amt. may be adopted here.

SG 20/1/43.

The amendment may be adopted as it would authorise any other officer authorised by the Collector (Deputy Commissioner) to take the action prescribed in the Rules viz to prohibit the entry of persons at during the time of firing in the

GOVT OF MYSORE 389 21 JAN 1941

SECTT LAW DEPT 22 JAN 43 GOVT OF MYSORE

OFFICE OF FOR FINANCE No 6082

Dewan Law Dept

cus 22/1/43

Sent with a draft notification. As the word "Collector" occurs with the marginal note in the Rules it is proposed to change it into "Deputy Commissioner of the District."

See 26/1

Sd/-19 Home Notification 342/WD 26/1/43 to be Complied

516 Labour

2-27-5/W. Amendment to Defence of India Rules.

Continuation Sheet. W File No. / Current No. 149 of 4-2-3. Page.

St.20

Draft Letter to Provincial Governments No. D. 69-42 (2)/W dated 26-1-43 Defence Department Secret Notification dated 11/1/43 amending Rule 130 of the Defence of India Rules.

A.

The amendment provides for the Summary trial of contraventions of rules of the Defence of India Rules as may be specified by Govt.

Draft letter as drafted Motion to making an immediate amendment in the Rules.

OFFICE OF THE MINISTER FOR EDUCATION
Date 5-2-43
No. 3810

27/1/43 Draft for orders of clauses (a), (b), (c) & (d) of Rule 90(2) may be specified for the purposes of the amended rule as in Bom. Draft. I have no objection to the amendment proposed in the draft letter as it stands.

This may also be done shortly by Ordinance

Mr. Howard should be asked whether there is any objection

27/1/43. Draft as modified. Send.

27/1. Both the draft and the draft Ordinance approved by Hon'ble Minister for approval.

Edn. Law Member
Minister Law Dept.

28/1

Govt. of India, Home Dept. No. 6/2/43-Poll. dated the 24-2-1943

2406/W. Amendments to Defence of India Rules.

Continuation Sheet. W File No. / Current No. 149 of 42-3. Page.

Sl.21 Issue Notification 3399/W dt 6.2.43 to all Concl

Sl.22 " " 3400/W "

Sl.23 Forwards for information the Resident's D.O. No. 69-G(2)/W dt 10-2-43 addressed to Defence Dept. regarding amending Rule 130 of Defence of India Rules.

Rule 130 provides for expiration of certain portions of the rules and clause (3) provides for the trial of certain offences by a court of session or a magistrate of the first class. The present amendment makes offences under rule 56 triable by a second class magistrate also. Rule 56 relates to contempts of processions, meetings etc. Consequently it will be triable by a Court of Session or first class magistrate.

X. On the 6-2-43 another amendment has been published amending Rule 81 re amendment of Rules etc.

2406 W. Amdt. to Defence of India Rules

Continuation Sheet. File No. 5582 Current No. of Page.

At present the rule provides for making provision for prohibiting strikes etc. in any area or undertaking. It is now proposed to omit the word "undertaking" presumably with the idea that a publication of the prohibition in an area would

[illegible] 5/2/43 [illegible]

OFFICE OF THE MINISTER FOR EDUCATION
Date 13.2.43
No. 4085

5665
12 FEB 1943
GOVT. OF MYSORE

SECY. LAW DEPT.
GOVT OF MYSORE

Law No P 185/42
13.2.1943

[illegible] 13-2-43.

16.2.43

St. 26 Home Notification 3484/W dt 18 Feb 43 W/o
3485 do Mr

WD Ĩ140—GPB—50,000—5-11-42

2432

5618 file

Continuation Sheet. File No. Current No. of Page.

[illegible] Defence of India Rules.

[illegible] under the Defence of India Rules [illegible] No. S.R.O. [illegible]/43 dated 5-2-43 [illegible] published [illegible] dated 15th February [illegible] Gazette of India Extraordinary of 5-2-43 [illegible] amending Rule 81(4) of the Defence of India Rules. Rule 81 provides for making orders regarding food control etc. [illegible] Directions [illegible] issued may be adopted [illegible] Section with a view to [illegible]

SL 13/2/43. Urgent amendment is necessary so that may be adopted. Confiscation of [illegible] in respect of which the order is contravened will have a salutary effect & produce a wholesome fear & action a check against food control offences.

OFFICE OF THE MINISTER FOR EDUCATION
Date 15.2.43
No. 4094

CHIEF SECRETARY'S OFFICE 575 13 FEB 43 GOVT. OF INDIA

SECY. TO GOVT. OF INDIA LAW DEPT.

13/2

Secretary

Law Member

13/2

15-2-43

16.2.43

Sd/ [illegible] Notification 3474/W.2.(2)-43 17/2/43

for Secy to Govt of India

2485/W

Amendments to Defence (Aircraft) Rules.

Continuation Sheet. 2551/W File No. / Current No. of Page.

[illegible] Rules [illegible] to [illegible]
[illegible] 13-2-43 [illegible] paragraph on p. 176
part II of the Gazette of India [illegible] Rule 6(3)
[illegible] Defence (Aircraft) Rules.

Rule 6(3) gives powers of search and detention of persons entering [illegible] aerodromes. The present amendment declares that power in respect of vehicles, aircraft or articles brought in by such persons.

Sent with a notice. Make a similar amendment in our rules.

The draft may be returned

Sd
19/2/43.

6160
19.

Sl. 26. Issued W.88/W dt 19th Feb 1943 to the Compiler, Gazette of India.

Sl. 27. No. D-69-42(2)/W. dt 26/2/43 sent to Defence Dept. notes dt 5/2, 6/2 & 13/2 regarding Defence of India Rules. Sent draft have been adopted & copies returned.

Sd
27/2/43.

Appendix F. G.—1]

SUBJECT.....

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.....

Section War
File No. 149-42
Serial No. 17.

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *194*

Date of issue.... 20.1.43

Signed by.... H.S.K.V.

No. 3192/W dated 20/1/43

To Notification

In exercise of the powers conferred by section 2 of the Defence of India Act, 1939, as extended to Mysore, by Govt of H. H. the Maharaja of Mysore are pleased to direct that the following further amendment shall be made in the Defence of India Rules in force in Mysore namely:—

In the [illegible] to the [illegible] marked [illegible]

List of enclosures....

Copied by.....

Examined by.....

WD 04161—GPB—60,000—21-10-41

1 [illegible] 43. 0

[illegible] Chief Secy.

To consider on [illegible] for publication in part II of the [illegible] for

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 3192/W 149-42-17

General and Revenue Secretariat,

Dated Bangalore. ....20th January 1943.

NOTIFICATION.

In exercise of the powers conferred by Section 2 of the Defence of India Act, 1939, as applied to Mysore, the Government of His Highness the Maharaja of Mysore are pleased to direct that the following further amendment shall be made in the Defence of India Rules in force in Mysore, namely:-

In rule 76-B of the said rules-

(i) sub-rules (1) and (2) shall be re-numbered as sub-rules (2) and (4), respectively;

(ii) before sub-rule (2) as so re-numbered, the following sub-rule shall be inserted, namely:-

"(1) In this rule, "building" includes a compound wall a concrete road inside private premises and any other structure in which stone, lime, sand, brick, cement, steel or timber is used".

(iii) after sub-rule(2) as so re-numbered, the following sub-rule shall be inserted, namely:-

"(3) every authority granting permits in pursuance of an order made under sub-rule(2) shall have power to impose on the permit-holder such conditions as that authority thinks fit for conserving essential building materials, and to revoke, or modify the terms of, any permit granted by it."

(iv) in sub-rule(4) as so re-numbered, for the words, brackets and figure "under sub-rule (1)," the words, brackets and figure "under sub-rule (2) or fails to comply with any condition imposed under sub-rule(3)" shall be substituted.

By Order,

for Chief Secretary to Government.

To--The Compiler, Mysore Gazette, for publication in Part IV of the Gazette and for supply of 150 spare copies to this office and 25 to the Inspector General of Police and 29 to each of the Deputy Commissioners of Districts.

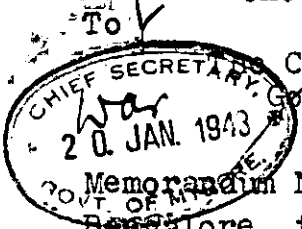
W149-42-18 2231 W.

From

The Secretary to the Hon'ble the Resident in Mysore.

To

The Chief Secretary to the Government of Mysore, Bangalore.



War

Memorandum No.F.69-42(2)/W.
Bangalore, the 20th January 1943.

Amendments to the Defence of India Rules.

Attention is invited to the Government of India (Defence Department) notifications Nos.1620-OR/42 and 1663-OR/42, dated the 26th December 1942, published in Part I, Section I, of the Gazette of India of the same date.

for SECRETARY TO THE RESIDENT.

C S Rao

Appendix F. G.—1]

SUBJECT.....

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Section War
File No. 149-42
Serial No. 19

Diary No. of letter replied to.....

No. 3242/W d 26.1.43

~~To~~ Notification

General and Revenue Secretariat

( )

the *194* .

Date of issue..... 26.1.43

Signed by..... H. S. K.

In exercise of the powers conferred by S. 2 (7) the Defence of India Act, 1939, as applied to Burma, the Governor of Burma is pleased to direct that the following further amendment shall be made in the Defence of India Rules as in force in Burma, namely:

In sub-rule (2) of rule 50B of the said Rules, for the word

List of enclosures.....

Copied by.....

Examined by.....

"Election", the words

~~The~~ Deputy Commissioner of the D.T.
or any officer authorised
by him by general or
special order in this behalf,"
shall be substituted.

B. O

[illegible]

Q. Chief Secy.

2.0 The competitive examination for admission to Part IV of the Gazette for supply of 150 spare copies to this office was 25 to D. Cs. @ 20 to each of the B. Cs @ 15.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 32 42/43

General and Revenue Secretariat, 26th January 43.

Dated Bangalore, ...

NOTIFICATION.

In exercise of the powers conferred by Section 2 of the Defence of India Act, 1939, as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Defence of India Rules in force in Mysore, namely:-

In Sub-rule (2) of Rule 50 B. of the said Rules, for the word "Collector", the word "Deputy Commissioner of the District or any Officer authorised by him by general or special order in this behalf" shall be substituted.

By Order,

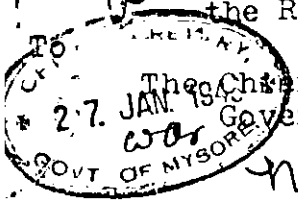
Chief Secretary to Government.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette and for supply of 150 spare copies to this office and 25 to Inspector General of Police and 20 to each of the Deputy Commissioners of Districts.

W 1149-42-20 2275 W.

From The Secretary to the Hon'ble the Resident in Mysore.



To The Chief Secretary to the Government of Mysore, Bangalore.

Memorandum No.F.69-42(2)/W.

Bangalore, the 26th January 1943.

Amendments to the Defence of India Rules and orders thereunder.

Attention is invited to the Government of India (Defence Department) notifications Nos.5-D.C.(3)/43 and 5-D.C.(3)/1/43, dated the 11th January 1943, published in the Gazette of India, Extraordinary of the same date.

for SECRETARY TO THE RESIDENT.

C.R. Rao

R. 1945

Appendix F. G.—1]

SUBJECT.....

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Section War

File No. 149-42

Serial No. 21

Diary No. of letter replied to 2275

No. 3399/W. dated 10-2-1943.

To— Notification

General and Revenue Secretariat

( )

the *194* .

Date of issue.... 10-2-1943

Signed by..... Mr. SKV

I am directed by the Government of India Act, 1935 as applied to Mysore, the Government of H.E.H. the Maharaja are pleased to direct that the following further amendment shall be made in the Defence of India Rules, as force in Mysore, namely:—

[Here enter particulars marked in pencil in the Gazette attached.]

R. O

Chief Secy

A/28/1

List of enclosures.....

Copied by.....

Examined by.....

WD 04161—GPB—60,000—24-10-41

Re completion Dr. G. for publication now in part II of the Gazette & for supply of 150 copies

P.T.O.

REGISTERED No. L. 2121

The Gazette of India

EXTRAORDINARY
PUBLISHED BY AUTHORITY

NEW DELHI, MONDAY, JANUARY 11, 1943

GOVERNMENT OF INDIA

DEFENCE DEPARTMENT

NOTIFICATIONS

New Delhi, the 11th January 1943

No. 5-D.C. (3)/43.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:—

After sub-rule (*3*) of rule 130 of the said Rules, the following sub-rule shall be inserted, namely:—

"(*4*) Any magistrate or bench of magistrates empowered for the time being to try in a summary way the offences specified in sub-section (*1*) of section 260 of the Code of Criminal Procedure, ~~1898~~, 1904 may, if such magistrate or bench of magistrates thinks fit, on application in this behalf being made by the prosecution, try a contravention of any such provisions of these Rules as the ~~Central~~ Government may by notified order specify in this behalf in accordance with the provisions contained in sections 262 to 265 of the said Code."

[*Price 1 anna*]

1208

No. 5-D.C. (3)/1/43.—In pursuance of sub-rule (4) of rule 130 of the Defence of India Rules, the Central Government is pleased to specify clauses (*a*), (*b*), (*c*) and (*d*) of sub-rule (2) of rule 90 of the said Rules for purposes of the said sub-rule.

C. MacI. G. OGILVIE,
Secy. to the Govt. of India.

PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI.
PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI.

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(~~Continuation sheet draft form.~~)

WD 0280—GPB—22,500—14-3-38

W 1449-42-dd

with

No. 3400/W dated 10-2-43.

Notification

In pursuance of sub rule (4) of rule 130 of the Defence of India Rules, as in force in Burma, the Governor of Burma is pleased to specify clauses (a), (b), (c) and (cb) of sub rule (2) of rule 90 of the said Rules for the purposes of the said sub rule.

B. O

for Chief Secy.

20 copies, Govt. for publication in part III of the Gazette & supply of 100 spare copies to this office.

Please No 3401/W dated 10.2.43. Copy to P.W.D. for information.

W 149-42-23. 2 Enc 6

From - The Secretary to the Hon'ble the Resident in Mysore.

To - The Chief Secretary to the Government of His Highness the Maharaja of Mysore.

Memorandum No.F.69-42(2)/W.
Bangalore, the 10th February 1943.

Amendments to the Defence of India Rules.

Attention is invited to the Government of India (Defence Department) notification No.5-DC(1)/43, dated the 30th January 1943, published in Part I, Section I, of the Gazette of India of the same date.

for SECRETARY TO THE RESIDENT.

CHIEF SECRETARIAT
11 FEB 1943
GOVT

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

No. 3474/W 1149-42-24.

Dated Bangalore, 13th Febry. *19* 43.

17

NOTIFICATION.

In exercise of the powers conferred by Section 2 of the Defence of India Act, 1939, as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Defence of India Rules as in force in Mysore, namely:-

In sub-rule (4) of rule 81 of the said Rules, after the words "or with both" the following words shall be inserted, namely:-

"and, if the Order so provides, any Court trying such contravention may direct that any property in respect of which the Court is satisfied that the Order has been contravened shall be forfeited to the Government."

By Order,

13/2

Chief Secretary to Government.

To--The Compiler, Mysore Gazette, for publication in part III of the Gazette and for supply of 150 copies to this office, 25 to the D.G.P and 20 to each of the D-Cs of DK.

Appendix F. G.—1]

SUBJECT.....

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Section War
File No. 149-42
Serial No. 25

Diary No. of letter replied to...2406...

No. 3484/W dated 18.2.43

To- Notification

General and Revenue Secretariat

( )

the *194* .

Date of issue..... 18.2.43

Signed by..... Mr. BKV

In exercise of the powers conferred by S.2 of the Defence of India Act, 1939 as applied to Mysore, the Government of H.H. the Maharaja are pleased to direct that the following further amendments shall be made in the Defence of India Rules, as in force in Mysore, namely:

1. In ~~rule~~ rule 81A of the said rules,

(1) in sub-rule (1), the words "to and to ~~any~~ an

List of enclosures.....

Copied by.....

Examined by.....

WD 04161—GTB—60,000—24-10-41

undertaking or class of undertakings" shall be omitted;

(ii) in clause (b) of the proviso to sub-rule (7), for the words "existing at the undertaking" the words "which were applicable to them" shall be substituted; and

(iii) in sub-rule (5), the words "the expression 'undertaking' means any undertaking by way of trade or business and" shall be omitted.

2. In sub-rule (3) of rule 130 of the said Rules, after the words "of the first class", the following words and figures shall be inserted, namely:—

"and in contravention of rule 56 is liable by a Court of Session or a magistrate of the first or second class"

Home 3485-86/W dated 18.2.43.
Copy to 1) C.I. of Factories
2) Dr of I & C

B.O.
Chief Secy

Copy to Printing Bd.

Sd

The compiler requests, for publication in issue of the Gazette and to supply Secretariat Dist. 150 copies of this pamphlet to the Director of Printing & Stationery.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 3484/2

General and Revenue Secretariat,

Dated Bangalore, 18th February 1943.

NOTIFICATION.

In exercise of the powers conferred by Section 2 of the Defence of India Act, 1939 as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that the following further amendments shall be made in the Defence of India Rules, as in force in Mysore, namely:-

1. In Rule 81A. of the said Rules,

(i) in sub-rule (1), the words "and to any undertaking or class of undertakings" shall be omitted;

(ii) in clause (i) of the proviso to sub-rule (1), for the words "existing in the undertaking" the words "which were applicable to them" shall be substituted; and

iii) in sub-rule (5), the words "the expression 'undertaking' means any undertaking by way of trade or business and" shall be omitted.

2. In sub-rule (3) of rule 130 of the said Rules, after the words "of the first class, the following words and figures shall be inserted, namely:-

"and a contravention of rule 56 shall be triable by a court of Session or a Magistrate of the first or second class"

By Order,

for Chief Secretary to Government.

RG

To--The Compiler, Mysore Gazette, for publication in Part IV of the Gazette and supply of 150 copies to this office, 25 to the Inspector General of Police and 20 to each of the Deputy Commissioners of Districts printed on one side.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 3488/W. W 149-42-26. General and Revenue Secretariat,

Dated Bangalore, ...19th February 1943.

NOTIFICATION.

In exercise of the powers conferred by Section 2 of the Defence of India Act, 1939 as applied to Mysore, the Government of His Highness the Maharaja are pleased to direct that the following further amendments shall be made in the Defence of India Rules, as in force in Mysore, namely:-

In sub-rule (3) of rule 6 of the said Rules, for the words "and may detain any such person for the purpose of searching him," the following shall be substituted, namely:-

"and any vehicle, aircraft or article brought in by such person, and may, for the purpose of the search, detain such person, vehicle, aircraft and article."

By Order,

19/2

for Chief Secretary to Government.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette and supply of 150 copies to this office, 25 to the Inspector General of Police and 20 to each of the Deputy Commissioners of Districts printed on one side.

W 1149-42-27. 2551/W

From

The Secretary to the Hon'ble
the Resident in Mysore.

To

The Chief Secretary to
the Government of His Highness
the Maharaja of Mysore,
Bangalore.

Memorandum No.F.69-42(2)/W.
Bangalore, 26th February 1943.

Amendments to the Defence
of India Rules.

Attention is invited to the Government of India (Defence Department) notification No.5-DC(9)/43, dated the 5th February 1943, published in the Gazette of India Extraordinary of the same date and notifications Nos.5-DC(8)/43 and 5-DC(10)/43, dated the 6th and 13th February 1943, published in Part I, Section I, of the Gazette of India of the same dates.

for SECRETARY TO THE RESIDENT.

CHIEF SECRETARY'S OFFICE
27 FEB. 1943
GOVT. OF MYSORE.